

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :

Appl. No.10/625,149 : Confirm. No. 8274
H. Downman McCarty, II :
Brooke Schumm III :
Peter Popper, Applicants : Examiner: O. Flores Sanchez
Filed: July 23, 2003 : Group Art Unit 3724

**For: AN ANTI-SPALLING COMBINATION ON AN IMPACT TOOL
WITH AN IMPROVED HOLDING SYSTEM**

Honorable Commissioner of Patents and Trademarks
Mail Stop Patent Application, P.O. Box 1450
Alexandria, VA 22313-1450

CONTINUATION AND PRIORITY DATA

Continuation in part of PCT/US02/23448 and entry into the national stage of
PCT/US02/23448, continuation in part of U.S. provisional applications 60/307,198 filed
on July 23, 2001, and 60/356,804 filed on February 13, 2002

**SECOND SUPPLEMENT TO
RESPONSE TO OFFICE COMMUNICATION
REPLYING TO NOTICE OF NON-COMPLIANT AMENDMENT OF 07/09/2008**

The Response to Office of Communication of July 5, 2007 filed on or about
November 19, 2007 in this application is adopted by reference.

The response of February 7, 2008 is adopted herein except that the amendments
are shown herein and the proper clean copy attached.

My apologies to the examiner; the Word document showed the changes, but when
printed to “pdf “ format and the document was assembled, the changes did not appear.

The pages showing amendments, which are pages 3 to 37 are enclosed with this
response. The clean copy begins on page 38.

The withdrawn claims are presented as required.

The Office is thanked for its courtesy.

Summary of Amendments to the Claims

As stated in prior responses, Claims 1-122 are withdrawn. Applicant has retained the right to present the method claims set out in claims 118-122 in a divisional application, and preserves the right to present the unelected claims. New claims numbered 123-142 were presented in the prior office action. Claims 123-142 are withdrawn, though the right to present other species in a divisional application is reserved.

Claims 143-175 were presented as new claims in Applicants' preceding response to an office action.

Claims 164-175 are withdrawn.

Respectfully,

_____/s/ /Brooke Schumm III /_____
Brooke Schumm III
Patent Bar Registration No. 34,926
Danecker, McIntire et al
One N. Charles St., Suite 2450
Baltimore, MD 21201
(410) 649-4761
Attorney for Applicants

I certify I caused the above to be filed electronically in the USPTO this 9th day of July 2008.

_____/Brooke Schumm III/_____/s/ Brooke Schumm III